



1/3738

PTO/SB/21 (09-04) (AW 10/2004)
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 09/977,826

Filing Date 10/15/2001

First Named Inventor George Goicoechea

Art Unit 3738

Examiner Name William H. Matthews

Attorney Docket No. BSI-010US4

ENCLOSURES (Check all that apply)

- ☒ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
 - ☐ After Final
 - ☐ Affidavits/Declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/
Incomplete Application
 - ☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a
Provisional Application
- ☐ Power of Attorney, Revocation,
Change of Correspondence
Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
 - ☐ Landscape Table on CD

- ☐ After Allowance Communication
to TC
- ☐ Appeal Communication to Board
of Appeals and Interferences
- ☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply
Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please
identify below): 2 pg.
PTO/SB/08a-08b; 10
references; 3 Japan Patent
Office Communications; PTO-
2038; post card receipt

Remarks:

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm Name RatnerPrestia

Signature

Printed Name Stanley Weinberg

Date 7/12/07

Registration No. 25,276

CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or Printed Name Denise Morgan

Date 7/12/07

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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Effective on 12/08/04.

As required by the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL
For FY 2007**☐ Applicant claims small entity status. See 37 CFR 1.27**Complete if Known**

Application Number	09/977,826
Filing Date	10/15/2001
First Named Inventor	George Goicoechea
Examiner Name	William H. Matthews
Art Unit	3738
Attorney Docket No.	BSI-010US4

TOTAL AMOUNT OF PAYMENT (\$) 180**METHOD OF PAYMENT** (check all that apply)☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: **18-0350** Deposit Account Name: **RatnerPrestia**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

<input type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES**Fee Description**

	Small Entity	
	Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
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- 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
----------------------	---------------------	-----------------	----------------------

- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): **Submission of IDS****Fees Paid (\$)**

180

SUBMITTED BY

Complete (if applicable)

Signature	<i>Stanley Weinberg</i>	Registration No. Attorney/Agent)	25,276	Telephone	610-407-0700
Name (Print/Type)	Stanley Weinberg	Date	7/12/07		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 09/977,826
Applicant: George Goicoechea
Filed: October 15, 2001
Title: Endoluminal Stent
TC/A.U.: 3738
Examiner: William H. Matthews

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the documents listed on the PTO/SB/08a and PTO/SB/08b forms submitted herewith. Copies of the documents listed on the PTO/SB/08a and PTO/SB/08b forms are enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

Based on a communication from the Japanese Patent Office in Japan Application No. 2004-335171 dated April 24, 2007, English language EP 0 565 251 A1 (a copy of which is enclosed with this submission) is believed to correspond to JP H06-7454; English language WO 91/17789 (a copy of which is enclosed with this submission) is believed to correspond to JP H05-509008; and English language EP 0 357 003 A2 (a copy of which is enclosed with this submission) is believed to correspond to JP H02-68052.

Based on a communication from the Japanese Patent Office in Japan Application No. 2006-104574 dated May 15, 2007, English language WO 90/15582 (a copy of which is enclosed with this submission) is believed to correspond to JP H04-500328.

Based on a communication from the Japanese Patent Office in Japan Application No. 2006-104577 dated May 15, 2007, English language EP 0 346 564 A1 (a copy of which is enclosed with this submission) is believed to correspond to JP H02-167178.

STATEMENT UNDER 37 C.F.R. § 1.97(e)

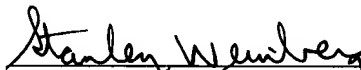
The undersigned hereby states that

☒ each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

☐ no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(e) more than three months prior to the filing of the Information Statement.

The required fee set forth in 37 C.F.R. § 1.17(p) is provided herewith.

Respectfully submitted,


Joshua L. Cohen, Reg. No. 38,040
Stanley Weinberg, Reg. No. 25,276
Attorneys for Applicants

JLC/SW/dhm

Enclosures: PTO/SB/08a and PTO/SB/08b
(10) References
(3) Japan Patent Office Communications
Transmittal Form
Credit Card Payment Form
Fee Transmittal

Dated: July 12, 2007

BSI-010US4

PATENT



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(610) 407-0700

☐ P.O. Box 1596
Wilmington, DE 19899
(302) 778-2500

The Director is hereby authorized to charge or credit Deposit Account No. **18-0350** for any additional fees, or any underpayment or credit for overpayment in connection herewith..

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

July 12/2007

Denise Moya

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

SHEET 1 of 2

Complete if Known

Application Number	09/977,826
Filing Date	10/15/2001
First Named Inventor	George Goicoechea
Art Unit	3738
Examiner Name	William H. Matthews
Attorney Docket No.	BSI-010US4

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		JP H02-167178	06/27/1990	Medtronic, Inc.		<input type="checkbox"/>
		EP 0 346 564 A1	12/20/1989	Medtronic, Inc.		<input type="checkbox"/>
		JP H04-500328	01/23/1992	Hugh Trout		<input type="checkbox"/>
		WO 90/15582	12/27/1990	Hugh Trout		<input type="checkbox"/>
		JP H06-7454	01/18/1994	Cook Incorporated		<input type="checkbox"/>
		EP 0 565 251 A1	10/13/1993	Cook Incorporated		<input type="checkbox"/>
		JP H05-509008	12/16/1993	Richard Stack		
		WO 91/17789	11/28/1991	Richard Stack		
		JP H02-68052	03/07/1990	Corvita Corporation		
		EP 0 357 003 A2	03/07/1990	Corvita Corporation		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

⁶Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	09/977,826
Filing Date	10/15/2001
First Named Inventor	George Goicoechea
Art Unit	3738
Examiner Name	William H. Matthews
Attorney Docket No.	BSI-010US4

SHEET 2 of 2**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		Notice of Reasons for Rejection of Japan Patent Application No. 2004-335171 dated April 24, 2007	<input type="checkbox"/>
		Notice of Reasons for Rejection of Japan Patent Application No. 2006-104574 dated May 15, 2007	<input type="checkbox"/>
		Notice of Reasons for Rejection of Japan Patent Application No. 2006-104577 dated May 15, 2007	<input type="checkbox"/>
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Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

²Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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